



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/675,047 | 09/28/2000 | David Kammer | PALM-3196 | 8585 |

7590 01/28/2004

WAGNER, MURABITO & HAO LLP
Third Floor
Two North Market Street
San Jose, CA 95113

| |
|----------|
| EXAMINER |
|----------|

LE, LANA N

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2685

DATE MAILED: 01/28/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/675,047

Applicant(s)

KAMMER ET AL.

Examiner

Lana Le

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 10/15/03 have been fully considered but they are not persuasive.

Regarding independent claims 1, 10, and 18 and dependent claims 2-4, referred to by applicant's remarks, applicant alleges that broadcast signals are not directed signals. However, a broadcast signal is broadly a general term generally accepted to mean a signal that sends information over a data communication network or radio system to one or more source capable of receiving the data/radio signal within the area of coverage and directed signals is also a broad term which may mean transmitted signals directed or sent to a source capable of receiving the data or radio signal within the area of coverage and the idle sense message is one form of signal that sends a type of information to a receiver capable of receiving the message. Also, "discoverable" mode is not specified in the claims as to what it is and what it does and therefore could read on the awake mode of the cited reference, Mahany. Connectable mode as is explained in the specification page 29, line 16-18, as being in connectable mode when the device is either in discoverable or non-discoverable mode (sleep mode) and therefore the cited reference, Mahany, could read on the connectable mode when it is either in scanning (awake) mode or sleep mode. Even though the reference does not explicitly disclose entering discoverable mode while entering awake mode, the cited

Art Unit: 2685

reference teaches entering scanning mode which reads on discoverable mode in the claims while the device wakes up to scan for idle messages.

Dependent claims 2-3, 11-12, 19-21 depends on independent claims 1, 10, and 18 and are not allowable for the reasons as set forth above over Mahany and the further subject matter does not deem to contain any more specific novel features.

Regarding claims 5-8, 14-16, and 22-25 the cited prior art further discloses the claimed invention and is therefore lacks an inventive step for the reasons as set forth above of Mahany and the admitted prior art.

Regarding claims 9, 17, and 25, the combined prior art discloses the claimed invention for the reasons as set forth above over Mahany and the cited reference Vook et al. Therefore, the cited prior art still reads on the claimed invention and stands as rejected over the same cited prior art as in the first office action. Applicant is requested to reconsider the examiner's remarks and make appropriate amendments and/or consideration.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-4, 10-12 and 18-21 are rejected under 35 U.S.C. 102(b) as being anticipated by anticipated by Mahany et al (US 5,657,317).

Art Unit: 2685

Regarding claim 1, Mahany et al discloses in a responder device (peripheral LAN slave device) having a transceiver (col 44, lines 62-65) for wireless communication (col 41, lines 40- col 42, line 10), a method for managing responses to signals received from initiator devices (peripheral LAN master devices) (col 40, lines 18-37; col 39, lines 39-42; col 51, lines 14-28), the method comprising the steps of:

a) automatically setting the responder device to discoverable mode (scan for idle messages mode) when the responder device enters awake mode (activation mode during periods 3209, 3213, 3217), wherein the responder device in the discoverable mode scans for wireless signals broadcast by initiator devices (peripheral LAN master devices) (col 51, lines 33-36; lines 37-39; lines 41-49); and

b) automatically setting the responder device to non-discoverable mode (does not scan for idle messages mode) when the responder device enters standby mode (power conserving mode during time periods 3211, 3215, 3223), wherein the responder device in the non-discoverable mode does not scan for wireless signals broadcast by initiator devices (col 51, lines 35-37; lines 39-41; lines 50-53).

Regarding claim 2, Mahany et al further discloses the method as recited in claim 1 further comprising the steps of:

c) receiving at the responder device a first wireless signal, "request to send type message" broadcast by an initiator device (col 51, lines 41-45);

d) sending a second wireless signal, "clear to send type message" in response to the first wireless signal when the responder device is in the discoverable mode, wherein the second wireless signal is to be received by the initiator device (col 51, lines 45-47);

Art Unit: 2685

e) disregarding the first wireless signal when the responder device is in the non-discoverable mode (during power conserving mode during time periods 3211, 3215, and 3223 even when the LAN master device transmits an idle sense message, the LAN slave device does not acknowledge or ignores the message because it is still in power conserving mode, col 51, lines 35-37, lines 39-41, lines 50-53; see also col 52, lines 20-23 when the master device transmit the idle sense message and doesn't receive a response from the slave device when it determines that no communication is desired from the peripheral device.

Regarding claim 10, Mahany et al discloses in a responder device (peripheral LAN slave device), having a transceiver for wireless communication (col 44, lines 62-65), a method for managing responses to signals received from initiator devices (peripheral LAN master devices), the method comprising the steps of:

a) receiving at the responder device a first wireless signal broadcast (idle messages) by an initiator device, wherein the first wireless signal is to be received by responder devices within range of the initiator device (col 51, lines 41-45; col 44, lines 41-65);

b) automatically entering a discoverable mode (scanning for idle messages mode) when the responder device enters awake mode (activation mode during periods 3209, 3213, and 3217) (col 51, lines 33-36; lines 37-39, lines 41-49), wherein the responder device in the discoverable mode sends a second wireless signal (clear to send message) wherein the second wireless signal is to be received by the initiator device (col 51, lines 45-47).

Art Unit: 2685

c) automatically entering a non-discoverable mode (does not scan for idle messages mode) when the responder device enters standby mode (power conserving mode), wherein the responder device in the non-discoverable mode does not send a response to the first wireless signal (during power conserving mode during time periods 3211, 3215, and 3223 even when the LAN master device transmits an idle sense message, the LAN slave device does not acknowledge or ignores the message because it is still in power conserving mode, col 51, lines 35-37, lines 39-41, lines 50-53; see also col 52, lines 20-23 when the master device transmit the idle sense message and doesn't receive a response from the slave device when it determines that no communication is desired from the peripheral device.

Regarding claims 3 and 11, Mahany et al further discloses the method as recited in claims 2 and 10 respectively, further comprising the step of:

f) receiving a third wireless signal (transmission of data during time period 3219) from the initiator device, wherein the third wireless signal is a directed signal sent to the responder device in response to the second wireless signal (col 51, lines 48-50).

Regarding claims 4 and 12, Mahany et al further discloses the method as recited in claims 3 and 11 respectively, wherein the responder device is in a connectable mode at all times (either in power conserve mode or activation mode), wherein the responder device in the connectable mode automatically responds to directed signals (col 51, lines 45-53).

Regarding claim 18, Mahany et al discloses a responder device (peripheral LAN slave device), comprising:

Art Unit: 2685

a bus connected to interface 3115 (fig. 30; col 48, lines 24-38);

a wireless transceiver unit 3110 coupled to the bus and for communicating with initiator devices (peripheral LAN master device) (col 49, lines 24-39);

and a processor 3121 coupled to the bus via the interface, the processor for performing a method for managing responses to signals received from the initiator devices (col 49, lines 40-59), the method comprising the steps of:

a) automatically setting the responder device (peripheral LAN slave device) to discoverable mode (scanning for idle messages mode) when the responder device enters awake mode (activation mode during periods 3209, 3213, and 3217), wherein the responder device in the discoverable mode scans for wireless signals broadcast by the initiator devices (col 51, lines 33-36; lines 37-39, lines 41-49); and

b) automatically setting the responder device to non-discoverable mode (does not scan for idle messages mode) when the responder device enters standby mode (power conserving mode during time periods 3211, 3215, and 3223), wherein the responder device in the non-discoverable mode does not scan for wireless signals broadcast by the initiator devices (peripheral LAN master device) (col 51, lines 35-37, lines 39-41, lines 50-53).

Regarding claim 19, Mahany et al further discloses the method as recited in claim 18 further comprising the steps of:

c) receiving at the responder device a first wireless signal broadcast by an initiator device (col 51, lines 41-45);

d) sending a second wireless signal in response to the first wireless

Art Unit: 2685

signal when the responder device is in the discoverable mode, wherein the second wireless signal is to be received by the initiator device (col 51, lines 45-47);

e) disregarding the first wireless signal when the responder device is in the non-discoverable mode (during power conserving mode during time periods 3211, 3215, and 3223 even when the LAN master device transmits an idle sense message, the LAN slave device does not acknowledge or ignores the message because it is in power conserving mode, col 51, lines 35-37, lines 39-41, lines 50-53; see also col 52, lines 20-23 when the master device transmit the idle sense message and doesn't receive a response from the slave device when it determines that no communication is desired from the peripheral device.

Regarding claim 20, Mahany et al further discloses the responder device of claim 19 further comprising the step of:

f) receiving a third wireless signal (transmission of data during time period 3219) from the initiator device (master device), wherein the third wireless signal is a directed signal sent to the responder device in response to the second wireless signal (col 51, lines 48-50).

Regarding claim 21, Mahany et al further discloses responder device of claim 20 wherein the responder device is in a connectable mode at all times (either in power conserve mode or activation mode), wherein the responder device in the connectable mode automatically responds to directed signals (col 51, lines 45-53).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 5-8, 13-16, and 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mahany et al (US 5,657,317) in view of admitted prior art.

Regarding claims 5 and 13, Mahany et al further discloses the method as recited in claim 2 and 11 respectively, wherein the initiator device and the responder device are in short-range communication (col 39, lines 39-42). Mahany et al didn't specifically disclose Bluetooth-enabled devices. However, it is well known in the art as is admitted in figure 1 of applicant's disclosure (page 3, lines 5-7, page 1, lines 18-21) that short range communication comprises of Blue-tooth enabled devices. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use bluetooth devices in order to allow the short-ranged devices of Mahany et al to communicate consistently with each other with data synchronization.

Regarding claims 6 and 14, the admitted prior art further discloses the method as recited in claim 5 and 13 respectively, wherein the first wireless signal is an inquiry message requesting an address for the responder device (page 2, lines 19-22; page 3, lines 10-12).

Regarding claims 7 and 15, the admitted prior art further discloses the method as recited in claim 6 and 13 respectively, wherein the second wireless signal comprises the address for the responder device (page 3, lines 20-24).

Regarding claims 8 and 16, the admitted prior art further discloses the method as recited in claims 7 and 15 respectively, wherein the third wireless signal is a page message 44a directed to the address and comprising a request for a name of the responder device (page 4, line 20 – page 5, line 2).

Regarding claim 22, Mahany et al further discloses the responder device of claim 20, wherein the initiator device and the responder device are in short-range communication (col 39, lines 39-42). Mahany et al didn't specifically disclose Bluetooth-enabled devices. However, it is well known in the art as is admitted in figure 1 of applicant's disclosure (page 3, lines 5-7, page 1, lines 18-21) that short range communication comprises of Bluetooth enabled devices. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use bluetooth devices in order to allow the short range devices of Mahany et al to communicate consistently with each other with data synchronization.

Regarding claim 23, the admitted prior art further discloses the responder device of claim 22, wherein the first wireless signal is an inquiry message requesting an address for the responder device (page 2, lines 19-22; page 3, lines 10-12).

Regarding claim 24, the admitted prior art further discloses the responder device of claim 23 wherein the second wireless signal comprises the address for the responder device (page 3, lines 20-24).

Art Unit: 2685

Regarding claim 25, the admitted prior art further discloses the responder device of claim 24, wherein the third wireless signal is a page message 44a directed to the address and comprising a request for a name of the responder device (page 4, line 21 - page 5, line 2).

3. Claims 9, 17, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mahany et al (US 5,657,317) in view of Vook et al (US 5,625,882).

Regarding claims 9 and 17, Mahany et al further discloses the method as recited in claims 1 and 10 respectively, wherein Mahany et al didn't further disclose the responder device is a portable computer system. Vook et al discloses the responder device is a portable computer system (col 2, line 55 – col 3, lines 13). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a portable computer system as a responder device in order to have an alternative type of device from a wide variety of possible devices that can process the infrared data information.

Regarding claim 26, Mahany et al further discloses the responder device of claim 18 wherein Mahany et al didn't further disclose the responder device is a portable computer system. Vook et al discloses the responder device is a portable computer system (col 2, line 55 – col 3, lines 13). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a portable computer system as a responder device in order to have an alternative type of device from a wide variety of possible devices that can process the infrared data information.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lana Le whose telephone number is (703) 308-5836. The examiner can normally be reached on M-F.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (703) 305-4385. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2685

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

Lana Le

January 22, 2004


EDWARD F. URBAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2000